

DRAFT COMPATIBILITY DETERMINATION

Use: State of Alaska Management Activities

Supporting Uses: The following activities may be done in support of or in conjunction with State of Alaska’s management activities: audio recording; boating – human-powered, motorized, and wind-driven; cabin use; camping; cross-country skiing; disease management; dog sledding & ski touring; electronics use; fixed-wing aircraft use; fuel caches; helicopter use (case-by-case determination); hiking and backpacking; photography and videography; scientific capture/release or collection – plants, fish, birds, mammals, insects, rocks, etc.; snowmobile use; snowshoeing; surveys – scientific inventory and monitoring; swimming and beach use; tree harvest – firewood; and wildlife observation.

Refuge Name: Yukon Flats National Wildlife Refuge, Fairbanks, Alaska

Establishing and Acquisition Authority

In 1978, President Jimmy Carter established the 10.6 million-acre Yukon Flats National Wildlife Monument with Presidential Proclamation 4627. The monument was established from lands in the public domain. In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) (Section 302) adjusted the boundary to 8.6 million acres, and established the Yukon Flats National Wildlife Refuge (Yukon Flats NWR) as part of the National Wildlife Refuge System (Refuge System).

Refuge Purposes

ANILCA sets out the purposes for each refuge in Alaska. The purposes of the Yukon Flats NWR as described in Section 302(9) (B), include:

- to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, canvasbacks and other migratory birds, Dall sheep, bears, moose, wolves, wolverines and other furbearers, caribou (including participation in coordinated ecological studies and management of the Porcupine and Fortymile caribou herds) and salmon
- to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats
- to provide, in a manner consistent with the purposes set forth above, the opportunity for continued subsistence uses by local residents
- to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth above, water quality and necessary water quantity within the refuge.

National Wildlife Refuge System Mission

The mission of the Refuge System is “to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the

benefit of present and future generations of Americans” (National Wildlife Refuge System Administration Act of 1966, as amended [16 USC 668dd-668ee]).

Description of Uses

This compatibility determination addresses routine management activities conducted by the Alaska Department of Fish and Game (AK Fish and Game) that may not be encompassed by the Master Memorandum of Understanding (Memorandum) between the department, and the US Fish and Wildlife Service (Service), Department of the Interior, Anchorage, Alaska, signed 13 March 1982, and law enforcement activities conducted by Alaska law enforcement officers. Activities evaluated in this compatibility determination include:

- fish and wildlife surveys conducted by boat, foot, or other means not restricted by regulation or policy;
- inventories, surveys and research in areas open to the public that do not require the handling of species or the removal of organic or inorganic items;
- taking, removing or relocating within the refuge, individual animals to protect property and for public safety purposes;
- fixed-wing aircraft landings in support of aerial fish and wildlife surveys;
- vegetation and habitat classification and surveys;
- seasonal field camps or check stations where site disturbance is insignificant, not expected to be noticeable the following season, and equipment, supplies and work materials are removed at the end of the season of use;
- search and rescue operations; and
- law enforcement activities.

This compatibility determination addresses the full spectrum of uses normally associated with AK Fish and Game management activities covered by the Memorandum. It includes all means of access, lodging, facilities, and other elements that would be included in activities under the Memorandum. Service compatibility policy states that all management and research activities conducted by the AK Fish and Game under a specific cooperative agreement with the Service to fulfill one or more purposes of the refuge or the Refuge System mission are not subject to a compatibility determination.¹

¹ Management activities done by the Service are *refuge management activities*, and thus are exempt from the compatibility determination process. 50 CFR 25.12 defines refuge management activities as any activity conducted by the Service or a Service-authorized agent to fulfill one or more purposes of the national wildlife refuge, or the National Wildlife Refuge System Mission. Service-authorized agents include contractors, cooperating agencies, cooperating associations, refuge support groups, and volunteers.

Management activities that substantially differ in scope and purpose from the activities covered by this compatibility determination will require a separate determination for compatibility. This compatibility determination does *not* address:

- predator management,
- fish and wildlife control (with the exception of emergency removal of individual rogue animals),
- reintroduction of species,
- nonindigenous species management,
- pest management,
- disease prevention and control,
- inventories, surveys and research that require the handling of species or the removal of organic or inorganic items (unless authorized by the Refuge Manager);
- fishery restoration and enhancement,
- indigenous fish introductions,
- nonindigenous species introductions,
- invasive types of data collection (e.g., immobilization and collaring of animals),
- construction of facilities to include weirs, counting towers, etc.,
- helicopter landings, or
- other non-permitted activities that could alter refuge ecosystems.

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage activities at existing and projected levels. Staff time (as many as five staff days annually) primarily involves phone conversations, written correspondence, and personal interaction with state personnel regarding ongoing activities. Field work associated with administering the program primarily involves monitoring (when applicable) the state's activities to ensure all activities are compatible with the Memorandum.

Anticipated Impacts of the Use(s)

Because AK Fish and Game and AK Wildlife Enforcement personnel are trained professionals, we anticipate routine law enforcement and fish and wildlife monitoring and management activities will have positive overall effects on the wildlife resources, other refuge resources (such as water quality, soil, and

vegetation) and refuge users. These positive impacts will support refuge purposes, and the Refuge System mission.

Public Review and Comment

Public involvement for this document includes: a public notice in the *Fairbanks Daily News Miner*; posting the draft on the Service's Alaska Region compatibility determination Web site, <http://alaska.fws.gov/nwr/planning/index.htm>; posting a notice of availability at the Refuge headquarters in Fairbanks; and a 30-day public comment period.

Copies will be mailed or e-mailed upon request. Comments must be received by the refuge headquarters within the 30-day comment period to receive timely consideration. The period of public review and comment will commence on 16 April 2007, and end 16 May 2007.

Please send comments to:

U.S. Fish and Wildlife Service
Yukon Flats National Wildlife Refuge
Attn: Compatibility Determination Comments
101 12th Avenue, Room 264, Box 14
Fairbanks, Alaska 99701
(907)456-0440
(907)456-0447 (fax)
yukonflats@fws.gov

If you e-mail comments, please place the words, "Compatibility Comments," in the subject line and your comments in the body of the text. Please do not include attachments because they will not be opened due to the potential of computer viruses.

Determination

☐ Use is Not Compatible

☒ Use is Compatible

Justification

The State of Alaska management activities covered by this compatibility determination are not specific purposes (e.g., wildlife, subsistence, water quality) of the Yukon Flats National Wildlife Refuge, but the Service supports research as described in the Refuge Manual (4 RM 6.1), which states,

Natural and social science information is necessary for the proper management of the National Wildlife Refuge System. It is the policy of the Service to encourage and support research and management

studies in order to provide scientific data upon which decisions regarding management of units of the refuge system may be based. The Service will also permit the use of a refuge for other investigatory scientific purposes when such use is compatible with the objectives for which the refuge is managed. Priority will be given to studies that contribute to the enhancement, protection, use, preservation, and management of native wildlife populations and their habitats in their natural diversity.

All proposed research conducted by State agencies will be thoroughly evaluated before authorization and then monitored closely to ensure the activities do not materially interfere with or detract from the purposes for which the refuge was established or the mission of the National Wildlife Refuge System.

Scientific research is also mentioned as one of the purposes under which lands in Alaska were reserved in ANILCA. Section 101(b) in *Title 1 – Purposes, Definitions, and Maps* explains, “It is the intent of Congress in this Act [ANILCA] to preserve unrivaled scenic and geological values associated with natural landscapes; . . . and to maintain opportunities for scientific research and undisturbed ecosystems.” The Yukon Flats National Wildlife Refuge Comprehensive Conservation Plan (CCP) of 1987 broadens the scope of research by recognizing scientific research historically conducted on Yukon Flats Refuge (e.g., ecology, climatology, geology, etc.). The CCP (page 127) states,

The Service will encourage other researchers to study the refuge and will participate in cooperative studies with other organizations, such as ADF&G. Cooperative agreements with the State and with Native organizations, authorized by Section 809 of ANILCA, may be particularly useful for subsistence research.

Furthermore, the State of Alaska’s law enforcement and search and rescue operations will support the refuge’s ability to provide for wildlife-dependent priority public uses and to meet other refuge purposes. After fully considering the impacts of this activity, as described previously in the anticipated impacts section, it is my determination that State of Alaska management activities, as described above, do not materially interfere with or detract from the purposes for which the refuge was established or the mission of the National Wildlife Refuge System.

Mandatory 10-Year Reevaluation Date: May 2017

This compatibility determination is a reevaluation of an existing use that facilitates wildlife-dependent, priority public uses and other refuge uses. The use is not recognized as a priority public use of the Refuge System, and after an opportunity for public comment, must be reevaluated if conditions under which the use is permitted change significantly or if there is significant new information regarding the effects of the use, but not less frequently than every ten years.

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
_____ Categorical Exclusions and Environmental Action Memorandum
_____ Environmental Assessment and Finding of No Significant Impact
 X Environmental Impact Statement and Record of Decision

Supporting Documents

- Alaska National Interest Lands Conservation Act of 1980 (as amended)
- Alaska Native Claims Settlement Act of 1971 (as amended)
- Alaska Region Fuel Storage Policy, US Fish and Wildlife Service, 1997
- Animal Welfare Act of 1966 (as amended)
- Archaeological Resources Protection Act of 1979 (as amended)
- Comprehensive Conservation Plan, Environmental Impact Statement and Wilderness Review, Yukon Flats NWR, 29 December 1987
- National Wildlife Refuge System Administration Act of 1966 (as amended)
- Master Memorandum of Understanding between Alaska Department of Fish and Game and the US Fish and Wildlife Service, 13 March 1982
- Refuge Manual, US Fish and Wildlife Service, 12 March 1982
- River Management Plan – Beaver Creek Wild River, December 1983

Refuge Determination

Refuge Manager /

Project Leader Approval: _____
(Signature) (Date)

Regional Chief,
National Wildlife
Refuge System:

(Signature) (Date)